

1 SEC. 46. Upon the trial of any civil or criminal action or proceed-  
 2 ing arising out of acts alleged to have been committed by any person  
 3 while operating a motor vehicle upon a public highway of this state  
 4 while in an intoxicated condition, evidence of the amount of alcohol  
 5 in the person's blood at the time of the act alleged as shown by a  
 6 chemical analysis of his blood, breath, saliva or urine is admissible.

1 SEC. 47. If the person under arrest refuses to submit to the test  
 2 or tests, proof of refusal shall be admissible in any civil or criminal  
 3 action or proceeding arising out of acts alleged to have been com-  
 4 mitted while the person was operating a motor vehicle upon a public  
 5 highway of this state while in an intoxicated condition.

1 SEC. 48. The provisions of this Act shall not be construed as  
 2 limiting the introduction of any other competent evidence bearing on  
 3 the question of whether the person was in an intoxicated condition.

1 SEC. 49. When it has been finally determined under the proce-  
 2 dures of this Act that a nonresident's privilege to operate a motor  
 3 vehicle in this state has been revoked or denied, the department of  
 4 public safety shall give information in writing of the action taken  
 5 to the official in charge of traffic control or public safety of the state  
 6 of the person's residence and of any state in which he has a license.

1 SEC. 50. Sections thirty-seven (37) through fifty (50) of this  
 2 Act may be cited as the "Uniform Chemical Test for Intoxication  
 3 Act".

1 SEC. 51. It is hereby declared to be the legislative intent that if  
 2 this Act cannot take effect in its entirety because of the decision of  
 3 any court holding unconstitutional any part, sentence or clause  
 4 thereof, the remaining provisions of the Act shall be given full force  
 5 and effect as completely as if the part held unconstitutional had not  
 6 been included herein.

Approved May 14, 1963.

## CHAPTER 115

### LIQUOR CONTROL ACT AMENDMENTS

S. F. 485

AN ACT to amend the liquor control Act, Senate File four hundred thirty-seven (437)\* of the Sixtieth General Assembly, relating to the control, sale and use of alcoholic beverages.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section two (2), of senate file four hundred thirty-  
 2 seven (437), Acts of the Sixtieth General Assembly, is amended by

\*Chapter 114.

3 inserting in line four (4) before the word "also" the following:  
4 "also by inserting after the word 'defined' in line two (2) of sub-  
5 section five (5) the following: 'except beer as defined in chapter 124  
6 of the Code;'"

1 SEC. 2. Section ten (10), of senate file four hundred thirty-seven  
2 (437), Acts of the Sixtieth General Assembly, is hereby amended by  
3 striking from subsection five (5) all after the word "quarters" and  
4 inserting a period.

1 SEC. 3. Amend section ten (10) of senate file four hundred thirty-  
2 seven (437), Acts of the Sixtieth General Assembly, by inserting  
3 after the word "one" in subsection nine (9) the words, "class 'C'  
4 liquor control".

5 Further amend said section 10 by adding at the end of paragraph  
6 e. of subsection seven (7) the following:

7 "Except for filing of the petition and the conduct of elections, when-  
8 ever the word 'board' appears in this paragraph it shall include the  
9 county board of supervisors and city and town councils."

1 SEC. 4. Section eleven (11), of senate file four hundred thirty-  
2 seven (437), Acts of the Sixtieth General Assembly, is hereby  
3 amended by striking from the first sentence the word "permits" and  
4 inserting in lieu thereof the word "licenses".

5 Further amend said section by inserting in paragraph "c" of sub-  
6 section two (2) before the word "towns" the words "cities or".

1 SEC. 5. Section eleven (11), of senate file four hundred thirty-  
2 seven (437), Acts of the Sixtieth General Assembly, is hereby  
3 amended by striking all of subsection three (3) and inserting in lieu  
4 thereof the following:

5 "3. Class 'C' liquor control licenses, the sum as follows:

6 "a. Commercial establishments located within the corporate limits  
7 of cities of ten thousand (10,000) population and over, one thousand  
8 (1,000) dollars;

9 "b. Commercial establishments located within the corporate limits  
10 of cities or towns of over fifteen hundred (1,500) and less than ten  
11 thousand (10,000) population, seven hundred fifty (750) dollars;

12 "c. Commercial establishments located within the corporate limits  
13 of towns of fifteen hundred (1,500) population or less, five hundred  
14 (500) dollars;

15 "d. Commercial establishments located outside the corporate limits  
16 of any city or town, one thousand (1,000) dollars."

1 SEC. 6. Section twelve (12) of senate file four hundred thirty-  
2 seven (437), Acts of the Sixtieth General Assembly, is hereby  
3 amended by inserting after the first semicolon the following:

4 "also by striking from line three (3) the word and figures 'June 30'  
5 and inserting in lieu thereof the words 'the anniversary date;'"

1 SEC. 7. Section fourteen (14), of senate file four hundred thirty-  
2 seven (437), Acts of the Sixtieth General Assembly, is hereby

3 amended by striking the word "permittee" each time it appears and  
4 inserting in lieu thereof the word "licensee".

5 Further amend said section by striking from the first sentence the  
6 word "permit" and inserting in lieu thereof the word "license".

1 SEC. 8. Section twenty-nine (29) of senate file four hundred thir-  
2 ty-seven (437), Acts of the Sixtieth General Assembly is hereby  
3 amended by striking all of the first sentence after the words "against  
4 any" and inserting in lieu thereof the following:

5 "licensee or permittee who shall sell or give any beer or intoxicating  
6 liquor to any such person while he is intoxicated, or serve any such  
7 person to a point where such person is intoxicated for all damages  
8 actually sustained."

1 SEC. 9. Sections forty-three (43), forty-four (44) and forty-five  
2 (45) of senate file four hundred thirty-seven (437), Acts of the Six-  
3 tieth General Assembly, are amended by inserting after the word  
4 "commissioner" the first time it appears in each of said sections the  
5 words "of public safety".

1 SEC. 10. Section ten (10), of senate file four hundred thirty-seven  
2 (437), Acts of the Sixtieth General Assembly, is hereby amended by  
3 striking all of lines one hundred sixty-two (162) and one hundred  
4 sixty-three (163) and inserting in lieu thereof the following: "each  
5 week for four (4) weeks in succession in the official newspapers in  
6 such county a notice of such special".

Approved May 28, 1963.

## CHAPTER 116

### LIQUOR PERMITS ABOLISHED

S. F. 179

AN ACT to abolish individual liquor permits.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section one hundred twenty-three point five (123.5),  
2 Code 1962, is hereby amended as follows:

3 1. By striking subsection fourteen (14).

4 2. By striking subsection twenty (20).

1 SEC. 2. Section one hundred twenty-three point seventeen  
2 (123.17), Code 1962, is hereby amended as follows:

3 1. By striking all of paragraph *e* of subsection two (2) of such sec-  
4 tion after the word "furnished" in line two (2) and inserting in lieu  
5 thereof "under section thirteen (13) subsection one (1) of this Act."

6 2. By striking from line three (3) of paragraph *h* of subsection two  
7 (2) of such section the words "under any permits".

8 3. By striking paragraph *k* of subsection two (2) of such section